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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,504	12/20/2001	Hironori Takano	2975.0013	2842

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

PRITCHETT, JOSHUA L

ART UNIT PAPER NUMBER

2872

DATE MAILED: 02/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,504

Applicant(s)

TAKANO ET AL.

Examiner

Joshua L Pritchett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohara (US 5,672,862).

Regarding claim 1, Ohara discloses a binocular vibration correcting device comprising a left and right pair of vibration-correcting optical systems (101) that corrects left and right image vibrations by being driven in the yaw direction and the pitch direction in accordance with vibration (col. 12 lines 1-5). Ohara further discloses a pair of optical system holding members that hold the left and right vibration correcting optical systems respectively (103). Ohara further discloses an intermediate supporting member that supports the pair of optical system holding members so as to be able to rotate in the yaw direction (104a) and is also supported by a main body member of the binocular vibration correction device so as to be able to rotate in the pitch direction (104b). Ohara further discloses a connecting member that connects the pair of optical system holding members so as to be able to rotate in the yaw direction at a position away from the yaw direction rotate axes of the pair of optical system holding members in the direction of

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the optical axes (105a-b). Ohara further discloses a yaw direction drive unit and a pitch direction drive unit (7a-d).

Regarding claim 2, Ohara discloses the left and right vibration correction optical systems are respectively comprised of a single or multiple optical components (Fig. 17).

Regarding claim 3, Ohara discloses the yaw direction rotate axes of the optical system holding members are distanced from said vibration correction optical system in the direction of the optical axes (Fig. 13).

Regarding claim 4, Ohara discloses the intermediate supporting member, optical system holding member and connection member constitute a parallel link that can operate in the yaw direction (Fig. 17).

Regarding claim 5, Ohara discloses the yaw direction rotate axes of the optical system holding member and the pitch direction rotate axis of the intermediate support intersect each other perpendicularly in a same plane (Fig. 13).

Regarding claim 6, Ohara discloses a vibration detector that detects vibrations in the yaw direction and the pitch direction (1a-b). Ohara further discloses a position detector that detects a position of the connecting member in the yaw direction and a position of said intermediate support member in the pitch direction (5a-d). Ohara further discloses a controller that controls the yaw direction drive unit and the pitch direction drive unit based on output signals from the vibration detectors and the position detectors (6a-d).

Regarding claim 7, Ohara discloses the yaw direction rotate axis of the optical system holding member and the pitch direction rotate axis of the intermediate support member intersect each other perpendicularly within a plane (Fig. 13). Ohara further discloses the vibration

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correction optical system is disposed on the opposite side of at least one of the yaw direction drive unit and the pitch direction drive unit across the plane (Fig. 13).

Regarding claims 8 and 9, claims 8 and 9 are rejected for the same reasons for the rejection of claims 1 and 6 mentioned above.

Regarding claim 10, Ohara discloses the binocular optical instrument has a left and right pair of objective lens (11). Ohara further discloses the vibration correction optical systems are included in the left and right pair of objective optical systems respectively (Fig. 13). Ohara further discloses the binocular optical instrument allows object observation through the pair of objective optical systems and a left and right pair of ocular optical systems (Fig. 13).

Regarding claim 11, Ohara discloses the vibration correction optical systems are included in the left and right pair of objective optical systems that constitute a stereoscopic shooting optical system (col. 10 lines 1-2). Ohara further discloses the binocular optical instrument allows stereoscopic shooting through the stereoscopic shooting optical system (col. 10 lines 1-2).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Morofuji (US 6,343,188) teaches a vibration correction device of optical systems.

Tomita (US 6,173,121) teaches a vibration correction device of optical systems.

Humphrey (US 3,915,550) teaches a vibration correction device of optical systems.

Usui (US 5,809,347) teaches a vibration correction device of optical systems.

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Mizumoto (US 6,160,959) teaches a vibration correction device of optical systems.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua L Pritchett whose telephone number is 703-305-7917.

The examiner can normally be reached on Monday - Friday 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cassandra Spyrou can be reached on 703-308-1687. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

JLP
February 20, 2003


James Phan
Primary Examiner